

## OPINION SUMMARY

### MISSOURI COURT OF APPEALS EASTERN DISTRICT

LONNIE BRILEY, Appellant,	)	No. ED101689
	)	Appeal from the Circuit Court of
vs.	)	St. Francois County
	)	Honorable Kenneth W. Pratte
STATE OF MISSOURI, Respondent.	)	Filed: June 23, 2015

Lonnie Briley (Movant) appeals the judgment of the Circuit Court of St. Francois County denying without an evidentiary hearing his Rule 24.035 motion for post-conviction relief. Movant claims the motion court clearly erred in denying his claim that plea counsel provided ineffective assistance by misinforming and failing to explain to Movant the meaning of the terms “consecutive” and “concurrent.”

AFFIRMED.

Division Four Holds: A movant’s guilty plea is voluntary “even though his attorney gave him erroneous advice if the court’s questioning of the defendant at the plea proceeding *thoroughly disabused him of any preconceived notions regarding the consequences of a guilty plea.*” Allen v. State, 233 S.W.3d 779, 783 (Mo.App.E.D. 2007) (internal quotation omitted) (emphasis in original). The record in this case reveals that the plea court “thoroughly disabused [Movant] of any preconceived notions” about the consequences of his guilty pleas and the total length of his sentence. Because the record conclusively establishes that Movant entered his guilty pleas knowingly and voluntarily, the motion court did not clearly err in denying Movant an evidentiary hearing.

Opinion by: Patricia L. Cohen, P.J.  
Roy L. Richter, J., and Robert M. Clayton III., J., concur.

Attorney for Appellant: Jessica Hathaway  
Attorney for Respondent: Rachel S. Flaster

<p><b>THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.</b></p>
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